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**Pro hac vice application to be filed*

Attorneys for Defendant SPOTIFY USA INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DAVID LOWERY, individually
and on behalf of himself and all
others similarly situated,

Plaintiffs,

vs.

SPOTIFY USA INC., a Delaware
corporation,

Defendant.

Case No. 2:15-cv-09929-BRO-RAO

**DEFENDANT SPOTIFY USA INC.'S
NOTICE OF MOTION AND MOTION
TO STRIKE CLASS ALLEGATIONS
PURSUANT TO FED. R. CIV. P. 12(f)**

Date: April 4, 2016

Time: 1:30 pm

Judge: Hon. Beverly Reid O'Connell

TO THE CLERK AND ALL COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT on April 4, 2016 at 1:30 p.m. or as soon thereafter as this may be heard, in Courtroom 14 of this Court, located at 312 North Spring Street, Los Angeles, CA 90012, before the Honorable Beverly Reid O'Connell, Defendant Spotify USA, Inc. will and hereby does move the Court, pursuant to Fed. R. Civ. P. 12(f), to strike the class allegations in Plaintiff's Complaint.

This Motion is made following the conference of counsel pursuant to L.R. 7-3, which took place on February 5, 2016. The Motion is based on this notice, the memorandum of law in support of the motion filed concurrently herewith, as well as any supporting declarations and exhibits, the files and records in this action, and any further evidence or argument that this Court may receive at or before the hearing.

1 Dated: February 12, 2016

MAYER BROWN LLP

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